

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

MIDWEST DISCOUNT BROKERS,)
)
)
Plaintiff,)
)
)
v.) Case No. 01-3041-CV-S-RED
)
)
TEXAS TITAN RESOURCES, et al.,)
)
)
Defendants.)

ORDER

Now before the Court is Plaintiff's Motion for Attorney's Fees (Doc. 49). The Court had previously granted summary judgment against Defendant Harris Dempsy "Butch" Ballow, after he failed to appear or respond to discovery. The Court entered an award of \$1,927.164.21 with interest from August 4, 2004, \$12,950.00 for arbitration costs and expenses, and \$1,000,000 in punitive damages. The Court also ordered that Plaintiff may within the time prescribed by rule, file a bill of costs and a motion for attorneys' fees with attached affidavits and documentation demonstrating the reasonableness of said fees. Plaintiff has done so, and now seeks and award of \$84,422.00 for fees. Plaintiff has attached an Affidavit from Attorney Amy Marcus testifying to the reasonableness of the fees, as well as a chart of the hourly rates of each attorney billing on the matter, along with a list of time billed. Defendant has not answered Plaintiff's Motion, and time for response has passed.¹

Based on the Motion, Affidavit, and attached billing summaries, the Court finds that Plaintiff is entitled to an award of attorney's fees, and that an award of \$84,422.00 is reasonable.

¹ It is noted that Defendant has absconded prior to his sentencing in a criminal matter and is at large. The Summary Judgment Motion and the Fees Motion were sent to Defendant's last known addresses and not responded to.

Accordingly, it is hereby

ORDERED that Plaintiff's Motion for Attorney's Fees (Doc. 49) is **GRANTED**.

Defendant Ballow shall pay Plaintiff's attorneys' fees in the amount of \$84,422.00

IT IS SO ORDERED.

DATE: August 5, 2005

/s/ Richard E. Dorr

RICHARD E. DORR, JUDGE
UNITED STATES DISTRICT COURT